

1873-003
Lee Co.

Chancery Causes: William Andre &c vs. Florence L. Wilson &c

Wilson

1 Plat

CA- Estate Dispute
T- Property

Virginia Lee County Court

To the worshipful Justices of the Lee
County Court in chancery sitting, your orators ^{Wm}
H. Willson ~~Thomas~~ Willson and William Anare
and your oratrix Catharine Anare do
in who has intermarried with the complainant
William Anare, and Susan Willson, hum-
bly complaining respectfully represents to
your worships, That on the day of
1866

Charles Willson departed this
life at his residence in Lee County, owner
and in possession of a tract of Land, situated
in this County and more particularly des-
cribed in the deed of Wm S Martin con-
veying said Land to said Charles Willson
a certified copy of which is here filed in
Book (24) and made a part of this Bill,
The said Land at his death descended to
your orator Wm H Willson & Thomas Willson
and to your oratrix Catharine Anare &
Susan Willson & Virgel, Jr, Willson & Flo-
rence Jr Willson, who are his children and
grand children & only heirs at Law, all
of whom are of age & his children except
Virgel, Jr, & Florence, Jr, Willson they are
grand children & infants, But are enti-
tled to equal shares with their uncles
& aunts, each one representing the interest
of a child of said Charles Willson That is
now deceased, your oratrix Catharine
has since the death of her father intermarried
with your orator William Anare, —

partition of said Land amongst the heirs
has never been made, & cannot be, be-
cause of the infancy of said Florence &
& Virgil Le Hillson, your orators & oratrixes.
The remedies at law & can only obtain
relief in equity, they therefore pray your
worsships to grant them a decree to part
ition said Land amongst those enti-
tled thereto, to that end they make
Virgil Le Hillson & Florence Le Hillson
parties defendants to this bill, and that
process be sent out against them sum-
moning them to answer, that a guardian
ad litem be appointed for them and
that he answer this Bill according to
the rules of chancery practice & on
a final hearing that your worships
make all such decrees & orders in the
premises as may seem equitable &
just, and as in duty they will ever
pray &c.

Burns & q

polly is bates child, By another
man, she married S D & Anderson
& claims under her mother bates

Settled 8.64

1870. March & April Court
 " May Court
 " June Court
 " July Court
 " August
 " Sept Court
 " Oct. Nov & Dec Court

Wm Amare et.

vs Bill

Florence, L. Willson
 & Virgel, L. Willson

1871 Jan, Feb & March
 " April & May Continued
 " June, July, Aug, & Sept
 " Nov & Dec Court
 1872 Jan, Feb & March Court
 " April, May & June Court
 " July, Aug, Sept, Oct Court
 " Nov & Dec Court
 1873 Jan Continued
 " Feb, Dec & Court
 " March & April Court
 " May Dec & June

1868. March Bill Filed and
 Miss Spencer and Mr. Wagon
 appointed Guardian ad litem for
 the defendants who are infants.
 April: Sp. Cnd. and Decree
 nisi & answer of Guardian
 ad litem filed & continued
 Decree nisi continued

Decree for Partition & Co.
 appointed to make same
 Aug. Term Continued
 Sept. Continued
 Oct. Continued
 Nov. Court. Dec. Court

1869 Jan. Court. Feb. Court.
 May Court. June Court.
 July Court. Aug. Court.
 Sept & Oct Court.
 Nov. Court. Dec. Court
 1870 Jan. Court. Feb. Court.

Settled	8.64
J.B. W.	2.44
Chf	17.00
S	18.00
Q.A.L.	4.00
Baris	5.00
Delish	7.00
Thompson	3.00
	65.08

Settled 8.64
 J.B. W. 2.44

Wm. Andre and others

vs

Florence I. & Virgil I. Wilson

} Dr. Chancery

This cause came on again this day to be further heard upon the papers formerly read in the cause and the reports of Eli Davis Paulsen Delish and Thomas Thompson the commissioners heretofore appointed to make partition of the lands in the bill mentioned among the parties entitled thereto according to their respective rights, and was argued by counsel and its appearing to the Court, that said reports has been filed among the papers of the cause the time required by law, and the same being unaccepted to, the same is confirmed. On consideration thereof It is adjudged ordered and decreed that Leas Wilson Mary J. Wilson and Chas Wilson heirs of Chas Andre heirs of Catharine Andre deed take and hold by title firm and stable lots No 1 & 2 assigned them by said commissioners according to their merits and bounds as set out in their reports, That William F. Wilson take and hold lot No 3. That Virgil I. Wilson take and hold lot No 5, and that Thomas Wilson take and hold lot No 6 free from the claim of the others according to their merits and bounds respectively as set in said reports. And that Asa Fletcher take and hold during his natural life lot No 4 according to its merits and bounds. And that said reports together with plat of lands annexed and this decree be recorded by the clerk of this Court in the book in which deeds are recorded, and it is further adjudged that the parties to this Suit pay the costs incurred in its prosecution in proportion to their respective interests, and no further action being necessary this cause is Stricken from the docket.

William Andre & al

21 } Decree Final
3

Florence S. Wilson & al

Entered order Book page
272.

James W. Orr, clerk.

Enter this Decree

H. J. Morgan

May 19-1873

William Andre et al Complainants

VS

Florence L & Virgil L Willson defendants

Deeree

This cause came on to be heard on the Bill exhibits and answer of the defendants by their guardian ad litem and the argument of counsel, and the court being sufficiently advised, now decrees and orders that the lands in the Bill and exhibits mentioned, be partitioned between the complainants and defendants, as follows. *Et*

Davis Thomas Moor + Thomas Thompson is appointed commissioners to divide said land, they are ordered to divide the same into six equal lots in value, having due regard to quality & quantity of land to be included in each lot, so as to make them equal in value, and so as to make each lot of convenient form, when the division is thus made. They must allot to William & Willson one lot, and to Thomas Willson one lot, to Catharine Andre late Willson one lot, to Susan Willson one lot, to Florence L Willson one lot and to Virgil L Willson one lot, they must make a fair plat of the whole tract and also of the division of it into lots as herein required, numbering said lots from one to six, and convey to the respective parties the part or lot, allotted to them and make a report to this court shewing how they have executed this decree, in which they must embody the plat herein before required to be made.

in which they must shew to whom respectively the said
lots have been allotted, the deeds made to the respective
parties must be by them produced and acknowledged
before the clerk of this court, and accompany their
report, all other matters not herein specially adju-
dicated are reserved, and this cause is continued

M^r Andre et al
#5 Σ Decree

Florence L Willson &
Virgel L Willson

Order Book 237-8

Ch 558

Virginia

At a ~~county~~ court ^{of quarter session} continued and held for Lee County, at the
Court House thereof on the 18th day of June 1863.

Wm Andre et al

Pffs.

In Chancery

against
Florence L. & Virgil L. Wilson Defts.

This cause came on again to be heard on the Bill, exhibit
its and answer of the defendants by their Guardians ad litem
and the argument of counsel; and the court being sufficiently
now-versed and orders that the land in the Bill and exhibits
mentioned be partitioned between the complainants and
defendants as follows: - Eli Davis, Thomas Moor, and Thomas
Thompson are appointed commissioners to divide said
land, and they are ordered to divide the same into six
equal lots in value, having due regard to quantity
and quality of land to be included in each lot so as to
make them equal in value, and so as to make equal
each lot of convenient form; when the division is
thus made, they must allot to William F. Wilson, one lot,
and to Thomas Wilson one lot, to Catherine Andre,
Ayle Wilson, one lot, to Susan Wilson one lot, to
Florence L. Wilson one lot and to Virgil L. Wilson one
lot. They must make a fair plat of the whole tract
and also of the division of it into lots as herein required
numbering said lots from one to six and convey to
the respective parties the part or lot allotted to them, and
make a report to this Court showing how they have
executed this decree in which they must embody the
plat herein before required to be made in which they
must show to whom respectively the said lots have
been allotted. The Oud made to the respective parties
must be by them produced and acknowledged before
the Clerk of this Court and accompany this report

all other matters herein specially acknowledged and indicated are reserved, and this cause is continued.

2d Copy
Teste - Wm. A. Orr D.C.

Virginia.

At a County Court Continued and held for Lee County at the Court House thereof on Wednesday the 19th day of February 1873.

This cause came on to be heard and it being suggested that since the last decree was entered Catherine Andre has died intestate leaving her only heirs Leclair Wilson, Mary J. Wilson and Charles Wilson alias Andre to whom her rights descended. And it being further suggested that Florence L. Wilson intermarried with Asa Fletcher by whom she had issue one child that died in infancy & unmarried and that the said Florence L. Fletcher late Wilson then died intestate and her interest in the lands descended to her brothers and sisters and their descendants in ~~combined~~ with the life time estate of her husband Asa Fletcher on motion of the plffs. and by consent of all the parties this suit is revived so far as the said Catherine Andre's rights are concerned in the name of Leclair V. Wilson Mary Jane Wilson Charles Wilson alias Andre and is to progress in their names so far as her rights are concerned.

And it is further ordered on motion of Asa Fletcher and by consent of the parties that so far as the rights of Florence Fletcher are concerned it having acted in her brothers and sisters and their descendants who are parties to this suit as to their interests after the death of the said Asa Fletcher is concerned no revival is necessary to be made against them

as they are already parties to the record. But as to her husband Asa Fletcher the cause is revived in his name against him and is to progress in his name to its conclusion. It further appearing that Thomas Moor one of the commissioners appointed to divide the lands in the Bill and former decree mentioned, declines to act, he is removed and Valer Schush is substituted a commissioner in his stead to act with the other commissioners heretofore appointed to divide the lands. The said commissioners are now ordered to divide the said lands into six equal lots as heretofore ordered and allot to Catherine Andre's heirs herein named one sixth in fee simple, and to allot to Asa Fletcher for his life the one sixth part as tenet by the limitation of Florence's interest in fee simple interest descending to her brothers and sisters and their descendants to take effect in possession after the life estate of Fletcher ends, no division of the same is now made between those owning it in fee. It being suggested that Catherine Andre in her life time bought of her sister Susan her one sixth part of said land and died the owner thereof the said commissioners are ordered to lay out and allot the said Katherine's 6th and the said Susan's 6th in adjoining lots to the said Catherine's heirs all other matters are reserved the commissioners are required to report to this Court how they have executed this decree and the cause is continued.

2d Copy
Teste - Wm. A. Orr D.C.

Wm Andie et al

vs Copy of Deed

Florence Wilson et al

March 11th 1873,

Accepted by delivering
to the within named persons
an attested office copy
of the within

Thos J. Brown, D.S.

Virginia,

At a Court of Quarter Sessions continued and held for Lee County, at the Court House thereof, on Thursday, the 18th day of June 1868.

William Andre et al

Plaintiffs

against

Florence L. Willson & Vigil L. Willson

Defendants

In Chancery

This cause came on again to be heard on the Bill, Exhibits &c. and the Court, being sufficiently advised, now decrees and orders that the land in the Bill and exhibits mentioned be partitioned between the Complainants and defendants as follows: - Eli Davis, Thomas Moore, and Thomas Thompson are appointed Commissioners to divide said land and they are ordered to divide the same into six equal lots in value, having due regard to quantity and quality of land to be included in each lot, so as to make them equal in value, and so as to make each lot of convenient form. When the division is thus made, they must allot to William F. Willson one lot; to Thomas Willson one lot; to Catherine Andre, late Willson, one lot; to Susan Willson one lot; to Florence L. Willson one lot; and to Vigil L. Willson one lot; they must make a fair plat of the whole tract, and also of the division of it into lots as herein required, numbering said lots from one to six, and to convey to the respective parties the portion lot allotted to them, and make a report to this Court shewing how they have executed this Decree in which they must embody the plat hereinbefore required to be made, in which they must shew to whom respectively the said lots have been allotted. The deeds made to the respective parties must be by them produced and acknowledged before the Clerk of this Court, and accompany their report, all other matters not specially adjudicated are reserved, and this cause is con-

turned -

A copy - John B. West D. Clerk
Leake -

William Andre et al.

vs } Copy of Decree
}

Florence & Virgil L. William

Executed O. R. Tyler

Rep. Wm W. Sage
- S L G

Ad. 558

1

Pursuant to an Order of the County Court of Lee
County dated June 18th, 1868 and amended by
an Order dated the 19th. of Feb. 1873.

In the case of
William Andre et al. Plaintiffs
vs.
Florence L. and Virgil L. Wilson Defts.) In Chancery

We whose names are hereunto subscribed
proceeded on the 17th. day of March, 1873
and previous days, to survey and partition
the lands of Charles Wilson Dec'd, and
assign the same to the heirs of said Wilson,
according to the said Orders, and beg leave to report:

Copy from H. H. & X
1st.

We have allotted and assigned in fee-simple
the first lot estimated to contain 19 acres,
~~and bounded~~ to the heirs of Catharine
Andre Dec'd viz: Leelar Wilson Mary J. Wilson
and Charles Wilson alias Andre.

This lot is bounded as follows. viz:

Beginning at a white oak, sourwood and dogwood
on the Adams line, and running thence with the
same N. 34 W. 7 poles to a stake, thence S. 80 W. 232
poles to a stake on the old Martin line corner
to J. F. Harris' land and with a line thence
S. 47 E. 20½ poles to a stake corner to the

Second lot and with lines thereof N. $78\frac{1}{2}$ E. 163 poles to a Stake; thence N. $76\frac{1}{2}$ E. 62 poles to the beginning. See Fig. 15. 16. 1. 2. 17. 15. on the plot.

2nd.

We have laid out and assigned to the said heirs of Catharine Andre in fee simple, the second lot adjoining the first, estimated to contain 16 acres, and bounded as follows, viz: Beginning at an elm and two dogwoods on the Adams line and running thence with the same N. 34 W. 8 poles to a white Oak sourwood & dogwood corner to the first lot, and with lines thereof S. $76\frac{1}{2}$ W. 62 poles to a Stake; thence S. $78\frac{1}{2}$ W. 163 poles to a Stake on J. F. Harris' line, and with the same S. 47 E. 19 poles to a Stake, corner to the third lot and with lines thereof N. $76\frac{1}{2}$ E. 154 poles to a Stake; thence N. 73 E. 63 poles to the beginning. See Fig. 14. 15. 17. 2. 3. 18. 14. This is the lot Catharine Andre purchased of Susan Wilson.

3rd.

We have laid out and assigned to William F. Wilson the third lot, estimated to contain 19 acres, and bounded as follows, viz: Beginning at a white Oak and Small walnut on the Adams line and running thence with the same N. 34 W. 12 poles to an elm and two dogwoods, corner to the second lot and with lines thereof S. 73 W. 63 poles to a Stake; thence S. $76\frac{1}{2}$ W. 154 poles to a Stake in Harris'

line, and with the same S. 47 E. 36 poles to a Stake, corner to the third lot, and with lines thereof N. 23 E. $17\frac{1}{2}$ poles to a Stake; thence N. $76\frac{1}{2}$ E. 124 poles to a Stake; thence N. $69\frac{1}{2}$ E. 63 poles to the beginning. See Fig. 13. 14. 18. 3. 4. 5. 19. 13.

4th.

We have laid out and assigned to Asa Fletcher during his lifetime only, the fourth lot estimated to contain 5 Acres and bounded as follows viz: Beginning at a small persimmon on the Adams line and running thence with the same N. 34 W. 4 poles to a white Oak and Small walnut corner to the third lot, and with lines thereof S. $69\frac{1}{2}$ W. 63 poles to a Stake; thence S. $76\frac{1}{2}$ W. 124 poles to a Stake; thence S. 23 W. $17\frac{1}{2}$ poles to a Stake on Harris' line thence N. $56\frac{1}{2}$ E. $17\frac{3}{4}$ poles to a Stake; thence N. $17\frac{1}{2}$ W. 4 poles to a Stake; thence N. $76\frac{1}{2}$ E. 118 poles to a Stake; thence N. $69\frac{1}{2}$ E. 64 poles to the beginning. See Fig. 12. 13. 19. 5. 4. 7. 6. 20. 12.

5th. We have laid out and assigned in fee-simple
To Virgil L. Wilson the fifth lot,
estimated to contain 23 acres.

and bounded as follows, viz:

Beginning at a white Oak and dogwood
on the Adams line and running thence
with the same N. 34 W. 12 poles to a
persimmon, corner to the fourth lot, and
with lines thereof S. 69 $\frac{1}{2}$ W. 64 poles to a
Stake; thence S. 76 $\frac{1}{2}$ W. 118 poles to a Stake
thence S. 19 $\frac{1}{2}$ E. 4 poles to a Stake; thence
S. 56 $\frac{1}{2}$ W. 17 $\frac{3}{4}$ poles to a Stake in Harris' line
and with the same S. 47 E. 26 poles to a Stake
corner to the sixth lot and with a line
thereof N. 68 E. 195 poles to the beginning.
See Fig. 11. 12. 20. 6. 7. 4. 8. 11.

X
6th.

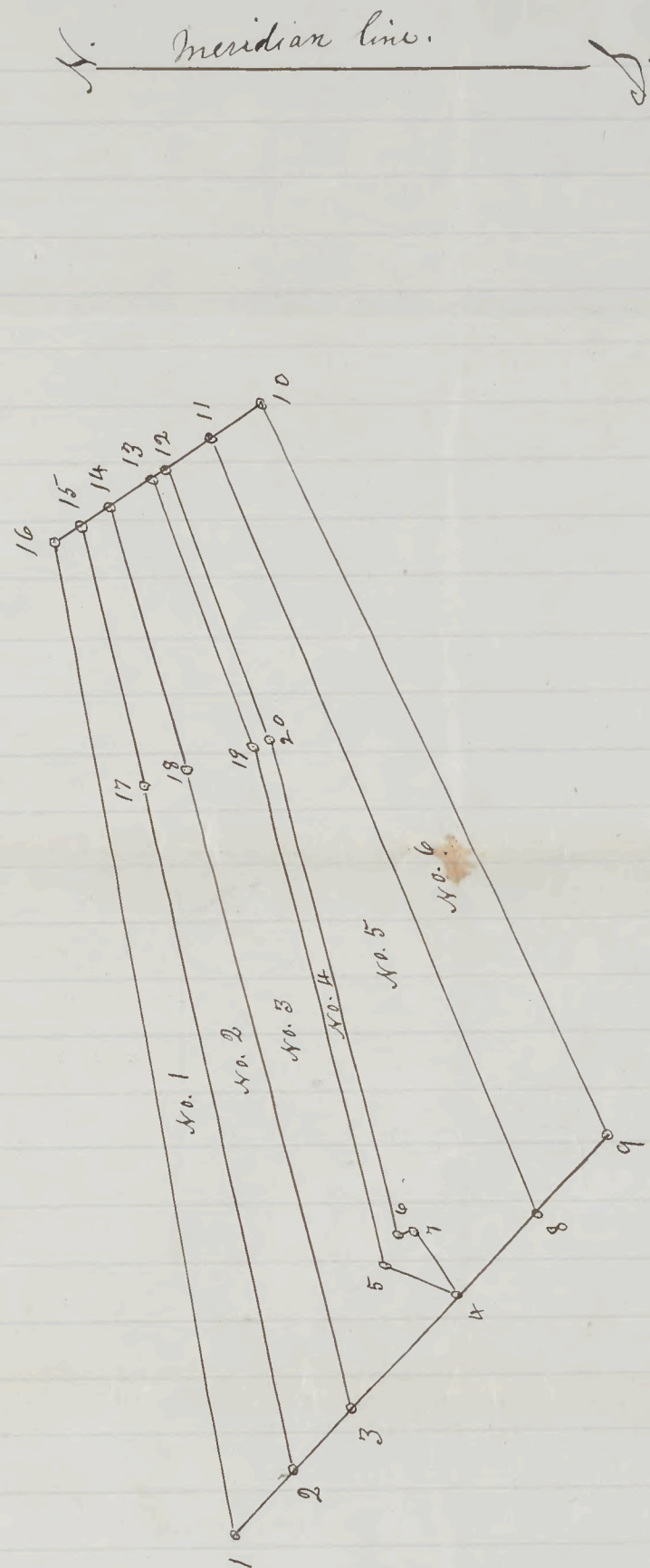
We have laid out and assigned in fee-simple
To Thomas Wilson the 6th. lot estimated to
contain 21 acres, and bounded as follows, viz:
Beginning at two white Oaks corner to the
Adams Land, and with a line thereof N. 34 W. 14
poles to a white Oak and dogwood, corner to
the fifth lot, and with a line thereof
S. 68 W. 195 poles to a Stake in Harris' line
and with it S. 47 E. 24 poles to the corner
on the old Martin line and with
the same N. 65 E. 188 poles to the beginning.
See Fig. 10. 11. 8. 9. 10. on the plat annexed.

Thus we have partitioned the said land as nearly as we could according to the said Orders making Six lots as nearly as we could equal in value &c. And as it was not convenient to give each lot a Spring we have given all the parties owning the lots free and equal privilege to make use of the most convenient water, provided that they do not lay down fences, nor otherwise trespass.

All of which is respectfully Submitted,
See the plot annexed.

Eli Davis } Com-
Thomas Thompson } missioners,
Paulsen Debusk }

Charges,
 Eli Davis For Surveying &c 7.00
 Paulsen Debusk for 3 days 3.00
 Thomas Thompson for 3 ds. 3.00
 Amt, \$ 13.00



Wm Andre et al

vs Camps Report

Morance L Wilson et al

Filed March 19th 1873.

James W Orr, Clk

Recorded in Ind Book

No. 14 page 459.

Wm A. Du. Clk

The Commonwealth of Virginia,

TO THE SHERIFF OF LEE COUNTY—GREETING;
WE ^{again} COMMAND YOU TO SUMMON *Florence L. Wilson and Virgil L. Wilson*

to appear before the Justices of our County Court for Lee county, at the Court House, in the Clerk's office, at Rules to be holden for the said Court, on the *first* Monday in *April* next, to answer a *Bill in Chancery exhibited in our said Court against them by William F. Wilson, Thomas Wilson, Susan Wilson, William Andre and Catharine Andre*

And have then there this writ. WITNESS, HENRY J. MORGAN, Clerk of our said Court, at the Court House, this *2nd* day of *March* 1868, in the *9th* year of the Commonwealth.

Henry J. Morgan Clerk.

William F. Wilson et al

vs. } Spa in Chancery
}

Florence L. Wilson et al

April Rules 1868.

April 1st 1868-

Accrued by delivering
To Florence L and Virgil
F. Wilson an attested
office copy of the within
writ

Thos J. Brown, D.C.
for Jas. H. Orr, J.L.C.

ch 358